



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams,
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
June 7, 2007 Regular Board Meeting
City of Simi Valley, Council Chambers
2929 Tapo Canyon Road
Simi Valley, California

Item 1. Roll Call

The meeting was called to order by Chair Fran Diamond at 9:07 a.m.

Board Members Present: Chair Fran Diamond, Vice Chair Mary Ann Lutz, H. David Nahai, Maribel Marin, Leo Vander Lans, and Dick Richardson

Board Members Absent: Brad Mindlin

Staff Present: Deborah Smith, David Bacharowski, Ronji Harris, Jack Price, Stephen Cain, Blythe Poniek-Bacharowski, David Hung, Michael Levy, Jennifer Fordyce, Samuel Unger, Paula Rasmussen, Cassandra Owens, Renee DeShazo, Eric Wu, Ginachi Amah, Jenny Newman, L.B. Nye, C.P. Lai, Kangshi Wang

Individuals whose Names Appear on the Sign-In Sheet

Mr. Ivan Karnezis, Caltrans	Mr. Gian Villarreal, Caltrans
Mr. Phil Markle, L.A. County Sanitation District	Ms. Beth Bax, L.A. County Sanitation District
Mr. Gus Dembegiotes, City of Los Angeles Bureau of Sanitation	Mr. Maged Soliman, L.A. County Department of Public Works
Mr. Rodney Andersen, City of Burbank	Mr. Mark Pumford, City of Oxnard
Mr. Gene Darningson, Eco Resources	Mr. Lance Lowhor, City of Santa Paula
Ms. Michelle Lombardo, Angeles National Forest	Dr. Mark Gold, Heal the Bay
Mr. Matt Carfagas, Orion Environmental Inc.	Ms. Ann Heil, L.A. County Sanitation District
Mr. Paul Tholl, Fillmore Resident	Mr. Jack Stehem, Fillmore Resident
Mr. Richard Schuck, Fillmore Sewage Committee	Ms. Kirsten James, Heal the Bay
Ms. Gayle Wasakun, Fillmore Sewage Committee	Ms. Dorsey Smith, Fillmore Sewage Committee
Ms. Jean Clay Westling, Fillmore Resident	Mr. Erik Huberman, Stormwater Maintenance
Mr. Eduardo Gonzalez, Fillmore Sewage Committee	Mr. David Rosenthal, Stormwater Maintenance Company
Mr. Maged Soliman, L.A. County Department of Public Works	Mr. Thong Ngn, L.A. County Department of Public Works
Ms. Linda Tsoi, L.A. County Department of Public	Mr. Paul Tantet, Ventura County Department of

California Environmental Protection Agency



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Works	Public Works
Ms. Tatiana Gaur, Santa Monica Baykeeper	Mr. Carlos Carreou, Santa Monica Baykeeper
Mr. Bill DePoto, L.A. County Department of Public Works	Ms. Leila Barker, L.A. City Department of Parks and Recreation
Mr. Ray Olson, City of Ventura	Mr. Richard Bradley, City of Ventura
Ms. Angela Lortie, California State Parks	Ms. Leila Barker, L.A. City Department of P
Ms. Ashli Desai, Larry Walker Associates	Ms. Vicki Musgrove, City of Ventura
Ms. Donna Chen, L.A. City Bureau of Sanitation	Ms. Lisa Carlson, L.A. City Bureau of Sanitation
Mr. Damon Wing, Rep. Supervisor Linda Parks, Ventura County	Ms. Linda Tacconelli, L.A. County Department of Public Works
Ms. Mika Yamamoto, L.A. County Parks and Recreation	Ms. Cindy Lin, U.S. Environmental Protection Agency
Mr. Vik Bapna, L.A. County Department of Public Works	Mr. Bryan Moscardini, L.A. County Parks and Recreation
Ms. Anita Kuhlman, City of Camarillo	Mr. Youn Sim, L.A. County Flood Control District
Ms. Linda Tacconelli, L.A. County Department of Public Works	

Item 2. Order of Agenda.

MOTION: To approve the order of agenda.

There were no changes to the Order of Agenda.

First: Board Member Dick Richardson

Second: Board Member Maribel Marin

Vote: Approved by unanimous vote.

Item 3. Approval of May 3, 2007 draft Meeting Minutes.

MOTION: To adopt the May 3, 2007 draft Meeting Minutes with a minor edit.

First: Board Member Dick Richardson

Second: Board Member Leo Vander Lans

Vote: Approved by unanimous vote

Item 4. Board Member Communications.

There was no communication reported that constituted the Ex Parte Communications disclosure.

Item 5. Executive Officers Report

Report given by Deborah J. Smith, Interim Executive Officer, and posted on the Board's website:
www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html .



Item 5.a. Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 5.b. Report from State Board.

Ms. Frances Spivey-Weber, State Board Liaison, gave a Strategic Plan update. She indicated that the Plan is almost completed and the anticipated goal is completion by the end of year 2007.

Ms. Spivey-Weber also discussed the July 25, 2007 State Water Plan, which focuses on the water from the Bay Project and what needs to happen within the various regions. In closing Ms. Spivey-Weber indicated that there are plans to hold a joint State and local Water Board meeting in the fall of 2007. More information will be forthcoming on this joint meeting.

Item 6. Public Forum.

Speakers:

- Dr. Mark Gold, Heal the Bay
- Ms. Gayle Washburn, Fillmore Sewage Committee

Item 7. Uncontested Items Calendar.

MOTION: To deem non-controversial and approve Agenda Items 7, 8, 9, 10, and 11

First: Board Member David Nahai

Second: Board Member Dick Richardson

Vote: Approved by unanimous vote.

Ms. Ronji Harris read an Opening Statement for the following items jointly and Chair Fran Diamond rendered the Oath to all speakers.

Item 12. Proposed Amendment to Water Quality Control Plan for Los Angeles Region for site-specific objectives for ammonia in select waterbodies of the Santa Clara River, Los Angeles River, and San Gabriel watersheds.

Staff Report.

Ms. Renee DeShazo, Basin Planning Coordinator

- The purpose of the amendment is to enable dischargers to adequately disinfect wastewater and still achieve permit limits
- The technical study was conducted by Larry Walker Associates
- There was a stakeholder led study funded by L.A. County Sanitation Districts, City of Burbank
- The study consisted of ten sampling locations
- Gave clarification on how the WERs are calculated
- Covered the Peer Review Summary findings
- The County believes that additional monitoring requirements should be coordinated with the existing NPDES Monitoring reports



- L.A. County Sanitation Districts and the City of Los Angeles believe that clarification is needed on how the SSOs will be included in the L.A. River Nitrogen TMDL for L.A. Tillman and Glendale permits
- Heal the Bay does not believe SSOs examine critical conditions or capture variability in waterbodies

Public Comment.

- Mr. Gus Dembegiotes, City of Los Angeles, Bureau of Sanitation (in support)
- Ms. Beth Bax, L.A. County Sanitation Districts of Los Angeles County (in support)
- Mr. Rodney Andersen, City of Burbank Public Works (in support)
- Dr. Mark Gold, Heal the Bay recommends that the issue of variability is not adequately clarified. He stated that by not capturing these critical conditions between year variability, this is not protective of invertebrate populations due to huge variability and hardness of TDS under these conditions. Heal the Bay recommends year round limits to protect aquatic life as much as possible. (opposed to ammonia objective)

Board questions, discussion, and concerns:

- Inquired about the strength of the standards for this program
- Asked if there are assurances in case something were to go wrong, we would be able to move forward expeditiously
- Asked clarification on downstream standards
- Clarification that if something goes awry, that it can be remedied in an expeditious manner
- Inquired about the possibility of year-round limits for protection against ammonia

Interim Executive Officer Deborah Smith gave clarification on a variety of concerns by the Board. She stated that staff is comfortable with the ammonia objectives in the proposed amendment, and that the implementation issues have been handled and that the monitoring is added on order to make sure to address other concerns. She stated that staff feels comfortable going forward at this time.

Staff Counsel Jennifer Fordyce talked about the options available to be considered by the Board during the interim period, until the SSOs become effective, and approved by the Office of Administrative Law (OAL).

MOTION: To approve the proposed Basin Plan Amendment with the Change sheets as proposed by staff and following:

- Change to page 12-588
- Change to page 12-287
- Strengthen the reopener language on page 12-288; change the word “and” to read “or” to make it clear that staff needs the flexibility to look at the specific circumstances in each permit.
- Change sentence on page 12-287 to read “These downstream standards include existing uses, including early life stages of fish in significant numbers,”
- Delete existing paragraph in Chapter 3, and change to read “ The water quality objectives for ammonia in freshwater may be revised to reflect local waterbody characteristics using one or more of US EPA’s procedures for deriving site-specific objectives (SSOs), which include the water-effect ratio (WER) procedure, recalculation procedure, and resident species procedure. In



order to establish SSOs for a waterbody, a study must be conducted that is consistent with US EPA guideline on deriving aquatic life criteria and SSOs, and the resultant SSOs must be fully approved through the Basin Plan amendment process.

First: Board Member David Nahai

Second: Board Member Dick Richardson

Vote: Approved by unanimous vote

Mr. Samuel Unger, Chief of Regional Programs gave a joint presentation for Items 13 through 17. (However, the items were voted on separately.)

Item 13. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load for trash in Machado Lake.

- Discussed the source analysis
- Discussed the comments and concerns by Heal the Bay, and USEPA
- The Machado Lake TMDL includes a point source compliance schedule for the Minimum Frequency of Assessment (MFAC)
- The TMDLs all include a re-opener in 5 years
- Machado Lake is 44 and 64 acre wet land and home to over 300 species of birds

Public Comment:

- Ms. Lisa Carlson, City of Los Angeles (in support)
- Mr. Ivan Karnezis, Caltrans (in support)
- Dr. Mark Gold, Heal the Bay (opposed)
- Dr. Cindy Liu, U.S. Environmental Protection Agency (in support)
- Mr. Vik Bapna, L.A. County Flood Control District

Board questions, discussion and concerns:

- Asked for clarification as to how compliance will be accomplished?
- Is there a present plan in place to remove the trash from the lake?

MOTION: To adopt the proposed Resolution with change sheets and recommended changes as follows:

- Page 13-11 to read "Regional Board staff is directed to develop a monitoring plan...."
- Page 13-15, instead of "Los Angeles County, Department of Public Works" it should read "Los Angeles County, Los Angeles County Flood Control District". On the same page under the words "load allocations," strike "Los Angeles County, Department of Parks and Recreation." And it should read "City of Los Angeles, Department of Recreation and Parks".
- Page 13-16, second paragraph to read "If point source discharges" strike the word "may" "comply with waste load allocations by" strike the "number one" "implementing full capture systems on conveyances that discharge to Machado Lake through a progressive implementation schedule of full capture devices, they will be deemed in compliance with the waste load allocations."



- Page 13-19 middle paragraph to read “Shall include a prioritization of areas that have the highest trash generation rates. The TMRP shall consider the prioritization when scheduling the installation of full capture devices, BMPs, or trash collection programs.”
- Next sentence and a new paragraph to read, “The TMRP shall also include” (go on to the rest of the paragraph “an evaluation of the effectiveness.”
- Page 13-20, in Task 1, after the words WLA, add the words “and a proposed definition of major rain event.”

Item 14. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load for trash in Revolon Slough and Beardsley Wash.

Staff Report.

Mr. Samuel Unger, Chief of Regional Programs

- Talked about waste load allocations (WLAs)
- Discussed the MFAC
- Drains will be cleaned monthly and within one week of every storm event that is greater than 1 inch of rain
- The comment letters have concerns of WLAs, safety concerns, and trespassing restrictions (due to not being authorized to clean up beyond certain jurisdictions)

Public Comment.

- Mr. Mark Pumford, City of Oxnard (opposed)
- Mr. Paul Tantet, Ventura County Public Works Agency (in support of Item 2 of MFAC)
- Ms. Anita Kuhlman, City of Camarillo (in support)
- Ms. Ashli Desai, Representing Ventura County Farm Bureau (opposed)
- Ms. Cindy Lin, USEPA (in support)

MOTION: To approve with change sheets as proposed by staff recommendation.

First: Chair Fran Diamond

Second: Board member David Nahai

Vote: Approved by unanimous vote

Item 15. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load for trash in the Ventura River Estuary.

Staff Report.

*The staff presentation was waived on this item.

Public Comments.

- Ms. Vicki Musgrove, City of Ventura (in support) but has some concerns she hopes will be addressed and clarified
- Mr. Paul Tantet, Ventura County Watershed Protection District (opposed)
- Mr. Ivan Karnezis, Caltrans (in support)
- Ms. Angela Lortie, California State Parks, Ventura (opposed)



MOTION: To approve staff recommendation with change sheets, and modifications as proposed by Michael Levy for all of the TMDLs heard previously at this meeting.

First: Board Member Dick Richardson

Second: Vice Chair Mary Ann Lutz

Vote: Approved by unanimous vote.

Item 16. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load for trash in Lake Elizabeth, Munz Lake, and Lake Hughes.

Staff Report.

*The staff presentation was waived for this item.

Public Comment:

Mr. Youn Sim, L.A. County Flood Control District (opposed, had concerns about the County Flood Control District being listed as a responsible party.)

Interim Executive Officer Deborah Smith agreed to remove the L.A. County Flood Control District as a responsible party for this matter.

MOTION: To approve staff recommendation with noted change that will remove L.A. County Flood Control District as a responsible party.

First: Chair Fran Diamond

Second: Board Member David Nahai

Vote: Approved by unanimous vote

Item 17. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load for trash in Legg Lake.

Staff Report:

*The staff presentation was waived for this item.

Public Comment:

- Mr. Bill Depoto, L.A. County Flood Control District (in support with comments)
- Mr. Bryan Moscardini, County of L.A. Department of Parks & Recreation (in support)
- Mr. David Burhean, Counsel to L.A. County (opposed)

MOTION: To approve the staff recommendation with the changes and subsequent motions.

First: Vice Chair Mary Ann Lutz

Second: Chair Fran Diamond

Vote: Approved by unanimous vote



The Executive Officer Selection Committee met in Closed Session for Item 18.10 for twenty minutes. The meeting was adjourned at approximately 6:20 p.m. Minutes adopted at the July 12, 2007 Board meeting.

Written and submitted by: _____ on
Ronji R. Harris

